

(PCT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/011194

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 5-8 as originally filed/furnished
- pages* 1-4, 4a received by this Authority on 16.07.2005 with letter of 15.07.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-5 received by this Authority on 16.07.2005 with letter of 15.07.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/4-4/4 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/011194

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-5</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1	Reference is made to the following document:		
	D1: US6240950 A		
2	<p>D1 is considered the prior art closest to the subject matter of claim 1 and discloses (the references between parentheses refer to that document) :</p> <p>a vent valve with a housing which on the top side has an outlet aperture, a spring-supported float being arranged in the housing so as to be movable in the longitudinal direction of the housing. The float has a sealing element that is secured to a support disk and is connected to a valve seat of the outlet aperture when the valve is in a closed position.</p> <p>The invention addresses the problem of simplifying opening of the valve even in cases when the position of the vehicle and thus the relative positioning between the seal and the valve seat is not level.</p>		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>The subject matter of claim 1 thus differs from D1 in that the support disk is connected to the float in such a way that it can swivel, two diametrically opposed angular retaining elements being secured to the float, for fitting over an annular flange formed on the support disk, the axial extensions of the retaining elements having different dimensions.</p> <p>The subject matter of claim 1 is thus novel (PCT Article 33(2)).</p> <p>3. The solution to the above-mentioned problem as proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons:</p> <p>D1 relates to a two-stage vent valve, in which a bypass connection is provided, in the extension of which an additional spring-loaded valve is arranged, the bypass valve, when in the open position, pushing against the guide flange of the float, thereby producing the connection to the outflow line. It is therefore not necessary to simplify the separating of the sealing element from the associated valve seat.</p> <p>3.1 Claims 2-5 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.</p>